

REMARKS

The transmittal is provided in response to a Notice of Non-Complaint Amendment mailed December 12, 2007. In the Notice of Non-Complaint Amendment, the Legal Instruments Examiner states that the status identifiers provided in the amendment paper are not all in accordance with the rule for reissue applications. Accordingly, the present response addresses all matters covered in the non-compliant response, but with regard to the claims being changed by the amendment paper, their entire text is presented with status identifiers believed now to be correct, all in compliance with Rules 1.173(b)(2) and 1.173(d).

A supplemental inventor declaration is submitted herewith in response to the rejection in the office action mailed August 10, 2007.

Claims 28-34 are rejected (in the August 10, 2007 office action) under 35 U.S.C. § 112 due to a limitation in claim 28 lacking sufficient antecedent basis. The applicants cure this defect by amending claim 28 herein to delete the limitation, i.e. deleting "where it was converted to seismic energy" from the end of step (b) of claim 28. The limitation is unnecessary because "seismic signals resulting from generation of said source waveform into an electrical signal and transmitting it into said subterranean formation" must necessarily have undergone a conversion from electrical energy to acoustic energy. The removed phrase does not involve an active step (by the user) in the gathering of electroseismic data.

Only claim 28 is changed in this amendment paper. Accordingly, only the text of claim 28 is presented in the "Amendments to Claims" section, in conformance with Rule 1.173(b)(2). Pending claim are claims 1-10 and 21-40, while claims 11-20 were canceled.

Note that this application is a Reissue application and thus the rules for labeling claims are different. Changes must be indicated relative to the patent being reissued, and only claims being changed in the present amendment paper must be presented in full text with appropriate status identifier.

CONCLUSION

Applicants believe that the amendment to claim 28 and the enclosed supplemental inventor declaration bring the application into condition for allowance of the pending claims. Accordingly, Applicants respectfully request allowance of the claims.

The Commissioner is authorized to charge any additional fees which may be required, to Account No. 05-1328.

Respectfully submitted,

Date: 10 January 2008

J. Paul Plummer
J. Paul Plummer
Reg. No. 40,775

ExxonMobil Upstream Research Company
P.O. Box 2189
Houston, Texas 77252-2189
Telephone: (713) 431-7360
Facsimile: (713) 431-4664

Certification under 37 CFR §§ 1.8(a) and 1.10					
I hereby certify that, on the date shown below, this application/correspondence attached hereto is being:					
MAILING					
<input type="checkbox"/> deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231. 37 C.F.R. § 1.8(a)	37 C.F.R. § 1.10				
<input type="checkbox"/> with sufficient postage as first class mail.	<input type="checkbox"/> as "Express Mail Post Office to Addressee"				
<table border="1"><tr><td>Margaret Gnewuch</td></tr><tr><td>Printed name of person mailing correspondence</td></tr></table>	Margaret Gnewuch	Printed name of person mailing correspondence	<table border="1"><tr><td>Express Mail mailing number</td></tr></table>	Express Mail mailing number	
Margaret Gnewuch					
Printed name of person mailing correspondence					
Express Mail mailing number					
<table border="1"><tr><td><i>Margaret Gnewuch</i></td></tr><tr><td>Signature of person mailing correspondence</td></tr></table>	<i>Margaret Gnewuch</i>	Signature of person mailing correspondence	<table border="1"><tr><td>10 January 2008</td></tr><tr><td>Date of Deposit</td></tr></table>	10 January 2008	Date of Deposit
<i>Margaret Gnewuch</i>					
Signature of person mailing correspondence					
10 January 2008					
Date of Deposit					
TRANSMISSION					
<input checked="" type="checkbox"/> transmitted by facsimile to the U.S. Patent and Trademark Office to facsimile number: 571-273-8300					